

SECOND: That at the time of his death, the said James A. Frey was seized and possessed, in fee simple, of two tracts of land, situated in Frederick County, Maryland, one of which being the same property described in a deed from Sallie M. Frey et al to James Frey and recorded in Liber J.L.J., No. 7, Folio 414, one of the Land Records of Frederick County, a certified copy of which is filed herewith marked Exhibit No. 1, which together with all Exhibits Complainants pray may be taken as part hereof, and the other tract being the same as described in a deed from George Cline and wife to James Frey as recorded in A.F. No. 4, Folio 111, a certified copy of which is filed herewith marked Exhibit No. 2.

THIRD: That said real estate above mentioned is not susceptible of partition or division among the parties entitled to an interest therein without loss and damage, and it would be to the best interest and advantage of all the parties at interest that the same be sold and the proceeds arising therefrom be divided according to the interest of the respective parties.

TO THE END THEREFORE:-

That a decree may be passed for the sale of said real estate and the proceeds arising therefrom be distributed under the direction of your Honorable Court to the parties entitled according to their respective interests.

And for such other and further relief as the nature of the case may require.

May it please your Honors to grant unto your Complainants the writ of subpoena directed to the said David R. Frey, Rose Frey, residents of Frederick County, James A. Frey, resident of Sykesville Howard County, James M. Creager, ~~William A. Creager~~ <sup>Malissa</sup> and Hazel C. Creager, residents of Washington County, commanding them and each of them to be and appear in your Honorable Court on some day certain to be named in said writ, to answer the premises and abide and perform such decree as may be passed herein; and that an Order of Publication be published against the said Richard R. Frey and Gurley E. Frey, non-